

THE
Thomas W. Evans Museum and
Institute Society

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WILL
OF
DR. THOMAS W. EVANS

THIS IS MY LAST WILL AND TESTAMENT.

I, THOMAS WILLIAM EVANS, a citizen of the United States of America and of the State of Pennsylvania, now sojourning at Hotel Belvedere, Davos-Platz, Switzerland, aged seventy-two years, being of sound mind, memory and understanding, declare this to be my last Will and Testament in the following manner to wit:

FIRST.—I direct my executors hereinafter named, as soon as practicable after my death, to pay my funeral expenses, my just debts and all the cash legacies hereinafter mentioned.

SECOND.—I direct that there shall be no funeral ceremony held over my body in any church in Paris, but I desire the religious ceremony to be at my house; I furthermore direct that my body shall be interred in my family lot in Woodland cemetery, West Philadelphia, Pennsylvania, the State of my birth, by the side of my beloved father and mother, and other near relations, sister and brother. I desire one of my executors or near friends, to accompany my remains to their final resting-place. I direct that a monument be erected on my grave, with a vault. This monument shall cost not less than one hundred thousand dollars, no more than two hundred thousand dollars. In case the lot of which I speak should not be large enough that a proper and sufficient ground be

bought, and that the bodies of my father and mother, sister be transferred to the newly purchased lot, so to be placed near me.

THIRD.—I give and bequeath unto my beloved wife, daughter of John Doyle, Agnes Doyle Evans, in case she survives me, the net sum of five hundred thousand dollars in bonds, or cash, or good stock equal to cash, free from all charges whatsoever absolutely and forever. This legacy in favour of my wife is in lieu, in place and in bar and in satisfaction of her dower and of all and any other rights she may have in or against my estate; all necessary and sufficient relinquishments therefor. I make this legacy to my beloved wife in this manner so as to cause to her the least amount of annoyance and worry regarding the settlement of my estate and to prevent her from being subjected to any inconveniences: I sincerely hope that this may be agreeable to her.

FOURTH.—I furthermore give and bequeath to my beloved wife free from any taxes whatsoever so long as she may desire to personally reside there, the free use, benefit and enjoyment of our apartment situated at No. 43 and 45, Avenue du Bois-de-Boulogne in the city of Paris, France, including all the furniture and effects therein contained, except those objects hereinafter particularly referred to and excepted. Such as Royal jewels, presents from Royal personages objects of art, pictures or such articles as are to be deposited in Museum as hereinafter described.

FIFTH.—I give and bequeath unto the following named persons, absolutely and forever the sums of money as follows, to wit:

- A. To Charles F. Muller, son of my sister Catherine Muller, the sum of 25,000 dollars in cash, twenty five thousand dollars in cash.
- B. To my niece Gertrude Muller, daughter of my sister

Catherine Muller, the sum of 20,000 dollars in cash, twenty thousand dollars in cash.

- C. To Marion Heberton, daughter of my sister Catherine, the sum of 10,000 dollars in cash, ten thousand dollars in cash.
- D. To Anna Heberton, daughter of my sister Catherine, the sum of 10,000 dollars in cash, ten thousand dollars in cash.
- E. To Catherine Whelen, daughter of my sister Anna Enos, the sum of 20,000, twenty thousand dollars in cash.
- F. To Clara Davis, daughter of my sister Anna Enos, the sum of 15,000, fifteen thousand dollars in cash.
- G. To Anna Miller, daughter of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- H. To Julliette Henderson, daughter of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- I. To Horace Enos, son of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- J. To Harry Enos, son of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- K. To Thomas Enos, son of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- L. To Roland Enos, son of my sister Anna Enos, the sum of 5,000, five thousand dollars in cash.
- M. To Nina Higgins, wife of Frank Higgins, the sum of 5,000, five thousand dollars in cash.
- N. To Clara Higgins, daughter Nina and Frank Higgins, the sum of 2,000, two thousand dollars in cash.
- O. To Maud Muller, daughter of my nephew Charles F. Muller, the sum of 5,000, five thousand dollars in cash.
- P. To Lucie Muller, daughter of my nephew Charles F. Muller, the sum of 5,000, five thousand dollars in cash.
- Q. To Agnes Evans, daughter of my nephew Theodore Evans, the sum of 5,000, five thousand dollars in cash.
- R. To Renie Evans, daughter of my nephew Theodore Evans, the sum of 5,000, five thousand dollars in cash.

- S. To Rudolph H. Evans, my brother, the sum of 10,000, ten thousand dollars in cash.
- T. To Erank L. Evans, son of Rudolph H. Evans, my brother, the sum of 20,000, twenty thousand dollars in cash.
- U. To Warrington Evans, son of my brother Rudolph H. Evans, the sum of ten thousand dollars in cash.
- V. To the children of Frank Evans, son of my brother Rudolph H. Evans, the sum of 30,000, thirty thousand dollars to be divided share and share alike.
- W. To the children of Warrington Evans, son of my brother Rudolph H. Evans, the sum of 10,000, ten thousand dollars to be divided share and share alike.
- X. To the children of Catherine Ingersol, my niece, daughter of my sister Catherine Muller, the sum of 2,000, two thousand dollars each in cash share and share alike.
- Y. To Charles Heberton, son of my niece Marion, daughter of my sister Catherine Muller, the sum of 5,000, five thousand dollars in cash.
- Z. To Francois Gillet, my coachman for many years if still in service the sum of 1,000 dollars, one thousand or five thousand francs, if retired 4,000 fcs.

To Francois Michael, concierge at 43 and 45, Avenue du Bois-de-Boulogne, the sum of 3,000 francs if in my service at the time of my death only.

SIXTH.—In case my wife Agnes survives me, it would be agreeable to me if she repeats in a great measure out of her property she has received from me the special legacies left to my relations as indicated in Article Fifth. This does not apply to legacies left to others in my Will.

A. SEVENTH.—The newspaper called “The American Register,” edited by Doctor Edward A .Crane, and Mr. O. Cuntz, if I am still possessed of it at the time of my death, I give and bequeath to said Crane and Cuntz on the condition that

they pay any and all debts that may be upon it. If they do not accept the legacy on these conditions, it must be sold, the debts paid off; if not sufficient money can be got, then my executors must pay off all remaining just debts upon it.

B. SEVENTH.—The American Charitable Fund Association of Paris, of which I was the principal founder and have been the President, since its foundation, I give and bequeath the sum of one hundred thousand francs, to be deposited in the banking-house of Rothschild Freres, my bankers at Paris, they to be charged to purchase in accord with my executors, bonds yielding good interest, but perfectly safe. The interest from these bonds can only be drawn out by order of my executors or some one charged by them to . . so, and to be used for the relief of poor American subjects, that may apply for aid from this Society. The Society ceasing to exist, the money and interest accruing therefrom, shall return to my estate.

C.—SEVENTH.—I give and bequeath unto Edward A. Crane and Mr. O. Cuntz all my writings manuscripts memoirs and works unpublished, provided that these named persons shall have all unpublished works or memoirs of mine published at their own expense, his or their, and the profits arising from these to be equally divided between them and my estate, part and part alike. In the event that they should not accept the conditions of the legacy I direct that my executors publish them OR such parts *in* as shall be approved by them.

EIGHTH.—To Theodore Wilteberger Evans, my nephew, son of Rudolph H. Evans, I leave him my professional business and clientele attached to it of dentistry at 15, rue de la Paix, Paris, if it has not been otherwise disposed of. I make the express conditions that it shall be conducted as I have always conducted it free from any publicity or anything approaching to charlatanism, but keep it up a dignified profession, all this is,

if he is with me at the time of my death and previously, and in good understanding with me. If not the business of dentistry and the clientele shall be sold by my executors and the price paid to my estate.

NINTH.—The business of the powder and elixir dentifrice Rose known well as Powder and Elixir of Dr. Thomas W. Evans, celebrated in Europe and elsewhere for more than forty years I wish it continued in my name, and no change in its production, manufacture nor in any way for it is my name that has made it its popularity. It must remain just as I leave it in every respect. The receipt for its manufacture and preparation will be found with my will and testament in an envelope marked.

Theodore Wilteberger Evans may be charged with the manufacturing of it from my receipt, if he is in succession of my practice of dentistry and have not otherwise disposed of it, or the right to manufacture it to others and to sell it, if so, and he succeeds to my professional business, he cannot make, sell or in any way promote any other preparation of dentifrice but this of my name and composition.

For the manufacturing directing superintending its sale and doing all he can for its success he shall have from the net profits after all expenses are paid thirty-three per cent. All profits remaining shall be placed to at the bankers designated by my executors to be disposed of as other revenues coming from my properties hereinafter mentioned.

TENTH.—I have intentionally omitted to bequeath any legacy or part of my estate to John Henry Evans (as he was baptised) son of my brother Rudolph H. Evans and of Elizabeth Doyle, his wife, sister of my wife Agnes Doyle, and I expressly direct that neither he nor his descendants shall in any case receive anything from my estate. this I do after mature reflection and for reasons as well known to the said John Henry Evans as to me.

ELEVENTH.—If any of the above legatees die before me, his or her legacy shall lapse and shall fall in my residuary estate and go to my residuary legatees or legates.

TWELFTH.—I direct that all my real property situated in France and remaining unsold at the time of my death shall be sold by private or public sale by my executors or executor hereinafter mentioned for the best price that can be obtained without pressing the sale. Excepting be it well understood the properties Numbers Forty-one, Forty-three and Forty-five Avenues du Bois-de-Boulogne and and the property No. One hundred and eighty-seven, Rue de la Pompe, hereinafter more particularly described, and any touching or adjoining grounds to said property, Rue de la Pompe, which I may buy during my life.

I direct that the proceeds of such sales as are made shall become part of my residuary estate and shall be paid over to my residuary legatees or legatee.

THIRTEENTH.—The property No. Forty-one Avenue du Bois-de-Boulogne and number One hundred and five Avenue Malakoff is the whole property which faces Avenue du Bois-de-Boulogne, and which is approximately bounded as follows; on front of said Avenue du Bois-de-Boulogne on one side by Avenue Malakoff on the other side of Rue de la Pompe, and in the by the property of Society Paris Nouvelle;

The properties No. Forty-three and Forty-five, Avenue du Bois-de-Boulogne faces said Avenue, and is approximately bounded as follows; on front by Avenue du Bois-de-Boulogne, on one side by Rue de la Pompe, and on the other side and rear by the properties of Mr. Boucheron.

The property of No. One hundred and eighty-seven, Rue de la Pompe is now occupied by the Lafayette Home, Institution of my founding, it faces on the Rue de la Pompe. In the rear are the stables occupied by my tenants of the Nos.

Forty-three and Forty-five Avenue du Bois-de-Boulogne and myself.

The properties above mentioned Nos. Forty-one, Forty-three and Forty-five Avenue du Bois-de-Boulogne, and One hundred and eighty-seven, Rue de la Pompe, in the city of Paris, France, together with all said addition and improvements thereto shall go into my residuary estate and become the property of my residuary legatees or legatee as herein-after provided. My request is that they shall not be sold for the twenty years lapse of time after my death, and if from any extraordinary depression should exist in real property from any cause such as War Revolution or social troubles,—an addition of five or ten years can be added, the revenues always being disposed of as I herein state, for the support of my Institution in Philadelphia called the Thomas W. Evans Museum and Dental Institute, hereafter mentioned.

FOURTEENTH.—I direct that all my properties remaining unsold at the time time of my death situated State, in Pennsylvania State and in Maryland State be sold by my said executors or executor at private or public sale for the best price that can be obtained as soon as practicable and prudent after my death, save and except my property my property situated at Corner of Spruce and Fortieth Streets in West Philadelphia, city of Philadelphia and State of Pennsylvania, given devised and bequeathed to my residuary legatees or legatees as herein-after stated, together with all touching or adjoining property I may have acquired; and I direct that the proceeds of such sale or sales shall become part of my residuary estate and shall be paid over to my residuary legatees or legatee.

FIFTEENTH.—The property situated at corner of Spruce and Fortieth Streets in the city of Philadelphia aforesaid together with all touching or adjoining additions I may have acquired, shall form part of my residuary estate and become the property of my residuary legatees or legatee as herein-after provided.

SIXTEENTH.—Having acquired a good fortune by a constant and laborious life, and having no children, it has been since a long time and is now my fond wish to do as I have desired, after remembering my beloved wife, my brother living and those of my relations and friends and some employees I have thought worthy of remembrance, To provide a Museum in my native State, and City where should be deposited all the Royal presents I have received all the decorations I have been honored with during my professional life all original correspondence I have had from Royal and other distinguished persons scientific literary and other persons, all objects of art and works of similar kind writings memoirs manuscript books Bible collection jewelry belonging to me at the time of my death and not otherwise disposed of by me and to provide also for the establishment for my fellow citizens especially for those of my beloved dental profession.

My intention therefore is to provide and devote the rest of my life for the execution of these projects and to provide in case of my death, as much as I can do so legally, for the realization thereof.

In view of the above:

I give, devise and bequeath all the rest residue and remainder of my estate real personal or mixed of whatsoever nature and kind and wheresoever situated with the income and revenues thereof under the reserves mentioned in this will and in the following manner to wit,

PRIMO.—Unto the Thomas W. Evans Museum and Institute Society, a corporation able to receive, hold and transfer property in France and in the State of Pennsylvania to be created and incorporated if possible before my death under the laws of the State of Pennsylvania by preference or under the laws of any other State of the United States of America where such incorporation may be made, absolutely and forever, under the reserves above mentioned and upon the charges, conditions and obligations imposed in this article.

I direct that said corporation shall continue to carry on under the same regime as established by me any Museum and Institute which have been founded by me at the City of Philadelphia, in the State of Pennsylvania aforesaid.

In case no such Museum or Institute shall have been founded by me before my death, I direct the said corporation to use the property situated corner of Spruce and Fortieth Streets in West Philadelphia, City of Philadelphia and State of Pennsylvania aforesaid which is the property where my dear father and mother lived and died and where I myself was much as a boy and my sister and husband died.

Together with all grounds touching or adjoining said property which I may have bought during my life or of which I may be possessed at the time of my death.

And for the purpose of such Museum and Institute I direct that upon said property and said touching or adjoining additions said corporations shall erect sufficient and suitable buildings fire proof and burglar proof of artistic and refined beauty, to be called The Thomas W. Evans Museum and Dental Institute.

In the event that I should not acquire during my life properties adjoining and touching my property situated at corner of Spruce Fortieth West Philadelphia city of Philadelphia Pennsylvania, then I direct that said corporation shall procure the adjoining property now inhabited by the family of M. Brown or representative if it can be obtained at a just and reasonable price for the neighborhood, and shall construct or establish The Thomas W. Evans Museum and Dental Institute on the original lot and purchased addition, or if such adjoining property is not acquired then in such a case to erect or establish The Thomas W. Evans Museum and Dental Institute upon the property as it is now with the house and lot corner of Spruce and Fortieth in the City Philadelphia aforesaid.

As to the Museum and Dental Institute above mentioned I desire that the Museum be conducted as follows to wit:

As to the Dental Institute I desire it to be conducted in a

way similar *in regime* as such institution of learning are conducted in Philadelphia, and not inferior to any already established.

I direct that the said corporation shall apply so much of the remaining income and profits of my estate as shall be necessary to successfully keep, maintain and carry on and improve the same and render it the more important and if there should be a surplus of income after paying all its expenses remunerations salaries, I request said corporation to apply said surplus to the education of such deserving students of dentistry of my native State of Pennsylvania as it deems best and advantageous to help striving boys to get their education.

I direct that in said Philadelphia Museum shall be placed all objects of art pictures paintings statuary jewelry and all objects presented to me by Royalties, all books manuscripts all original letters and copies of Royal letters autographs and of other personalities or distinguished or celebrated people and all other objects not especially disposed of. All the above shall be catalogued and deposited in the Museum the above objects which I have mentioned must be placed in an absolutely extra fire-proof room and positively burglar proof even at an extra cost and there they are to remain as long as the Museum exists.

“SECUNDO.”—Unto Charles F. Muller, my nephew, Philadelphia.

- “ Horace S. Ely my agent, 64, Cedar New York.
- “ Dr. Edward A. Crane, Paris, France.
- “ Arthur Valois Paris France.
- “ William Heberton my nephew by marriage Philadelphia.
- “ Mr. —— Wilson architect of Franklin Institute Philadelphia the survivors or survivor of them absolutely

and forever and under the reserves mentioned in this Will and upon the charges conditions and obligations contained in Section Primo of this Article, in case said corporation for any reasons whatsoever does not or cannot accept said residuary legacy and does not carry on and continue to carry on the obligations imposed upon them in this Article.

“TERTIO.”—Onto the City of Philadelphia, State of Pennsylvania, absolutely and forever and under the reserves mentioned in this Will and upon the same charges conditions and obligations contained in Section “Primo” and “Secundo” of this Article do not or cannot accept said residuary legacy and do not carry on and continue to carry on the obligations imposed upon them in this Article.

“QUARTO.”—Unto the State of Pennsylvania absolutely and forever under the reserve mentioned in this Will and under the same charges, conditions and obligations contained in Section “Primo” of this Article, in case said corporation, said individuals, the survivors or survivor of them, and said City of Philadelphia mentioned in Sections “Primo,” “Secundo,” and “Tertio” of this Article do not or cannot accept said residuary legacy and do not carry on and continue to carry on the obligations imposed in this Article.

SEVENTEENTH.—If for any reasons whatsoever Article Sixteenth above should fail to be admitted or received under the law or should for any reason fail to be carried out, I direct that the said Article shall be considered null and void to all intents and purposes the same as if it had not been made or written, and the following be substituted instead: I give, devise and bequeath all the rest, residue and remainder of my

estate real personal or mixed of whatever nature and kind and wherever situated unto

Unto Charles F. Muller my nephew Phila.

“ Horace S. Ely my agent New York New York.

“ Dr. Edward A. Crane Paris.

“ Arthur E. Valois, Paris.

“ William Heberton, my nephew by marriage, Phila.

“ Mr. —— Wilson architect Franklin Institute Phila.

the survivors or survivor of them their heirs, executors, administrators or assigns absolutely and forever under the reserves mentioned in this Will.

I have such great confidence in the friendship and honour of each of the above persons that I believe that they will voluntarily carry out all the wishes and requests expressed in this instrument in its entirety althow not obliged to do so under the law.

Should Article Sixteenth above be admitted under the law then this Article is considered null and unwritten.

EIGHTEENTH.—If for any reason whatsoever both said Articles Sixteenth and Seventeenth, above should fail to be admitted or received under the law or should for any reason fail to be carried out I direct that the said Article shall be considered null and void to all intents and purposes the same as if said Article had not been made or written and that the following be substituted instead: I give devise and bequeath all the rest residue and remainder of my estate real personal or mixed of whatsoever nature and kind and wheresoever situated unto my heirs at law living at my death except John Henry Evans referred to in Article Tenth of my Will and his descendants, share and share alike, absolutely and for forever, under the reserve mentioned in this Will.

Should Article Sixteenth or Seventeenth be admitted

under the law, it is my desire that the present Article be considered as unwritten and null.

NINETEENTH.—If any legatee should attempt in any way to break or contest this my will or any part thereof the legacies or legacy made to them in any part of this Will to him or to her shall be forfeited and shall lapse and become part of my residuary estate.

TWENTIETH.—In the event that the decorations I have been honored with during my life the Royal presents I have received and all the original correspondence¹ I have with Royal and other distinguished persons all autographs of same all objects of art, all my manuscripts memoirs jewels books and other works referred to in Section Primo of Article Sixteenth of my Will are not placed and kept in The Thomas W. Evans Museum and Dental Institute at Philadelphia for any reason whatsoever, I desire the same to be placed and kept in the Smithsonian Institute at Washington D. C., United States of America.

TWENTY-FIRST.—I name and appoint:

Charles F. Muller Philadelphia.

Edward A. Crane Paris.

William Heberton Philadelphia.

Arthur E. Valois, Paris

Horace S. Ely, New York

——— Wilson, Philadelphia

the survivors or survivor of them, executors of this my last Will and Testament and I wish and direct that no bond or security whatsoever be asked or required from any or either of said executors on account of non-residence or otherwise for the performance of their duty or duties as such executors or executor.

TWENTY-SECOND.—I revoke all Wills, Testaments and codicils I may have heretofore made and I do declare this to be my last Will and Testament.

IN WITNESS WHEREOF I have to this, my last Will and Testament, set my hand and seal at Davos-Platz Switzerland This Twenty-sixth day of August, in the year of our Lord One thousand eight hundred and ninety-six.

(Signed) THOMAS WILLIAM EVANS [seal.]

WILLIAM R. HUGGARD, M. D., Davos-Platz, Switzerland.

H. J. WHITTLE, Barrister-at-law, Crofton House, Beverly, England.

HANS MOSER, Gd Hotel Belvedere, Davos-Platz.

The above instrument consisting of 21 pages of paper was on date and day above mentioned signed, sealed, acknowledged, published and declared by Thomas William Evans the above testator as and for his last Will and Testament in our presence and we thereupon at his request and in his presence and in the presence of each other have subscribed our names as witnesses thereto.

Dated Davos-Platz, August 26, 1896.

WILLIAM R. HUGGARD, M. D., Davos-Platz, Switzerland.

H. J. WHITTLE, Barrister-at-law, Crofton House, Beverly, England.

HANS MOSER, Gd Hotel Belvedere, Davos-Platz.

CITY AND COUNTY OF PHILADELPHIA, ss:

Register's Office, June 3d, 1898.

Then personally appeared Charles H. Gibson John Wilmirth and Charles A. Heinitsch who being duly sworn according to law say that they were well acquainted with Thomas William Evans the testator above named in his lifetime and are familiar with his signature having frequently seen him write his name as well as other matters; that they have carefully examined the foregoing signature "Thomas William Evans" to will dated August 26 1896 and verily believe it to be in his own proper handwriting.

Sworn and subscribed before me the date above
 HORATIO B. HACKETT
Register } CHARLES H. GIBSON
Register } JOHN WILMIRTH
Register } CHARLES A. HEINITSH

Register's Office June 15, 1898.

We do swear that as the executors of the foregoing last will and testament of Thomas Williams Evans deceased, we will well and truly administer the goods and chattels, rights and credits of said deceased, according to law; and that we will diligently and faithfully regard, and well and truly comply with the provisions of the law relating to collateral inheritances. That the said testator died on the 14th day of November A. D. 1897 at ten o'clock P. M.

Sworn and subscribed before me the date above
 and letters testamentary granted unto them

CHARLES IRWIN
Deputy Register

CHARLES F. MULLER, Utica, N. Y.
 EDWARD A. CRANE, Paris, France.
 WILLIAM W. HEBERTON, Wayne,
 Pa.
 ARTHUR E. VALOIS, New York,
 City, N. Y.
 JOSEPH M. WILSON, 1106 Spruce
 St., Phila.
 HORACE S. ELY, 64 Cedar St., N.
 Y. City.

ESTATE OF THOMAS W. EVANS

Deceased.

And now June 6, 1898, it is ordered and decreed that the caveat dated May 31, 1898 filed by Samuel B. Huey Esq., on behalf of Clara E. Davis, et al, against the probate of any instrument purporting to be the last will and testament of Thomas W. Evans, deceased be and the same is hereby dismissed and that the paper writing dated August 26, 1896 offered for probate as the last will and testament of the said Thomas W. Evans deceased, be and the same is hereby admitted to probate as such.

Witness my hand and official seal the date above written.

(Seal)

HORATIO B. HACKETT,

Register of Wills.

CHARLES F. MULLER, Utica N. Y.,
 EDWARD A. CRANE, Paris, France,
 and ARTHUR E. VALOIS, New York City.
 HORACE S. ELY, 64 Cedar St., New York City,
 and AMERICAN SURETY Co. of New York,
 are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of One hundred and forty thousand dollars June 15 1898.

UNITED STATES OF AMERICA
 STATE OF PENNSYLVANIA
 COUNTY OF PHILADELPHIA } ss

Arthur E. Valois being duly sworn according to law doth depose and say: I am one of the executors named in the will of the late Thomas W. Evans, who died in Paris France on the 14th day of November 1897. Said will was executed at Davos-Platz, Switzerland. The subscribing witnesses thereto are

William R. Huggard M. D., Davos Platz Switzerland; H. J. Whittle, Barrister at law, Crofton House Beverly England and Hans Moser, Grand Hotel Belvedere, Davos Platz, Switzerland. None of said subscribing witnesses are within the State of Pennsylvania but are all of them residents of foreign countries, and there is no one within the state of Pennsylvania so far as after investigation I have been able to discover who knows the handwriting of said subscribing witnesses or any of them.

Sworn and subscribed before me this 3rd day of } ARTHUR E. VALOIS
June 1898 }
HORATIO B. HACKETT,
Register

CHARTER
OF
The Thomas W. Evans Museum and Institute
Society.

IN THE COURT OF COMMON PLEAS NO. 4 FOR THE
COUNTY OF PHILADELPHIA:

OF DECEMBER TERM, 1897. NO. 1450.

To THE HONORABLE THE JUDGES OF THE SAID COURT:

In compliance with the requirements of the Act of Assembly
of the Commonwealth of Pennsylvania entitled "An Act
to provide for the incorporation and regulation of cer-
tain corporations", approved the 29th day of April, A. D.
1874, and the supplements thereto, the undersigned citizens
of Pennsylvania, having associated themselves together for
the purposes hereinafter specified, and desiring that they
may be incorporated according to law, do hereby certify:

First. The name of the proposed corporation is "THE
THOMAS W. EVANS MUSEUM & INSTITUTE SOCIETY."

Second. The purpose for which this corporation is formed
is the establishment, support and maintenance of a museum
and dental institute in the City of Philadelphia in accordance
with the Will of Dr. Thomas W. Evans, and for the pur-
pose of carrying out the provisions of the said Will to
erect suitable buildings to be called "THE THOMAS W.
EVANS MUSEUM & DENTAL INSTITUTE," and in which

shall be placed all objects of art, pictures, paintings, statuary, jewelry, books, manuscripts, and letters belonging to and bequeathed by the said Thomas W. Evans, and to conduct a dental institute, and to provide for the education in dentistry of residents of the State of Pennsylvania; and for carrying out the said purposes, to receive, hold, and take all real and personal property devised and bequeathed by the Will of the said Dr. Thomas W. Evans for the purposes aforesaid.

Third. The business of the said corporation is to be transacted in the City of Philadelphia.

Fourth. The corporation shall have perpetual succession by its corporate name.

Fifth. The names and residences of the subscribers are as follows:

Charles F. Warwick.....1925 Spring Garden St., Phila.

Samuel H. Ashbridge ...

John H. Converse.....Rosemont, Pa.

Justus C. Strawbridge...School Lane & Wissahickon, Ger'n.
Phila.

William L. Elkins.....1205 N. Broad Street, Phila.

George C. Thomas.....301 South 21st Street, Phila.

J. Levering Jones.....Moreland No. 33rd Street, Chestnut Hill, Phila.

Edward De V. Morrell .. 1826 So. Rittenhouse St., Phila.

W. W. Frazier.....250 So. 18th Street, Phila.

Daniel Baugh.....1601 Locust Street, Phila.

P. A. B. Widener.....1200 N. Broad Street, Phila.

W. W. Foulkrod.....4716 Leiper Street, Phila.

Samuel Dickson.....901 Clinton Street, Phila.

Sixth. The corporation is to be managed by a board of trustees consisting of thirteen members, and the names and residences of those chosen trustees for the first year are:

Charles F. Warwick.....Philadelphia.
 Edward De V. Morrell ..Philadelphia.
 Samuel H. Ashbridge ...Philadelphia.
 W. W. Frazier.....Philadelphia.
 John H. Converse.....Rosemont, Pa.
 Daniel Baugh.....Philadelphia.
 Justus C. Strawbridge...Germantown.
 P. A. B. Widener.....Philadelphia.
 William L. Elkins.....Philadelphia.
 W. W. Foulkrod.....Philadelphia.
 George C. Thomas.....Philadelphia.
 Samuel Dickson.....Philadelphia.
 J. Levering Jones.....Chestnut Hill, Philadelphia.

WITNESS OUR HANDS AND SEALS THIS THIRD DAY OF FEBRUARY, A. D. 1898.

(Signed)

Chas. F. Warwick.....[SEAL]
 Geo. C. Thomas.....[SEAL]
 Daniel Baugh.....[SEAL]
 Samuel H. Ashbridge ...[SEAL]
 J. Levering Jones.....[SEAL]
 Peter A. B. Widener....[SEAL]
 John H. Converse.....[SEAL]
 Edward De V. Morrell ..[SEAL]
 Justus C. Strawbridge...[SEAL]
 W. W. Foulkrod.....[SEAL]
 Wm. L. Elkins.....[SEAL]
 Samuel Dickson.....[SEAL]

COMMONWEALTH OF PENNSYLVANIA. }
 CITY AND COUNTY OF PHILADELPHIA } ss:

Before me the subscriber, Recorder of Deeds of the County of Philadelphia personally appeared, Charles F. Warwick, John H. Converse and Justus C. Strawbridge, three of the

subscribers to the above and foregoing certificate of incorporation of "The Thomas W. Evans Museum & Institute Society," and in due form of law acknowledged the same to be their act and deed.

WITNESS my hand and official seal this Ninth day of February, A. D. 1898.

[SEAL.]

(Signed) W. M. GEARY,
Recorder of Deeds

DECREE.

AND NOW, this 11th day of October, A. D. 1899, the above certificate of incorporation having been presented to this Court accompanied by proof of publication of the notice of this application I certify that I have perused and examined said instrument and have found the same to be in proper form and within the purposes named in the Act of Assembly of April 29th, 1874, and that the same appears lawful and not injurious to the community,—It is therefore upon motion of

Jos. W. CATHARINE, JAMES ALCORN AND JOHN L. KINSEY, Esquires, on behalf of the petitioners, ordered and decreed that the said charter be and the same is hereby approved, and that upon the recording of the same and this order the subscribers thereto and their associates shall be a corporation by the name of

THE THOMAS W. EVANS MUSEUM & INSTITUTE SOCIETY.
for the purposes and upon the terms therein stated.

(Signed) MICHAEL ARNOLD, [SEAL]
President Judge, C. P. No. 4.

Recorded December 21st, 1900.

BY-LAWS
OR
The Thomas W. Evans Museum and
Institute Society

SECTION I.

TRUSTEES.

This corporation shall be managed by a Board of Trustees consisting of thirteen members.

A majority of the Trustees shall constitute a quorum, but a less number may adjourn from time to time.

Vacancies in the Board of Trustees may be filled by the unanimous vote of the Trustees voting for a nominee.

Nominations to fill a vacancy must be made at a meeting of the Board at least thirty days before such nomination is voted upon, and notice of the names of all nominees, and of the time they are to be voted upon, shall be sent to each member of the Board at least one week prior to the meeting of the Board when such voting shall take place.

SECTION II.

MEETINGS.

The regular meeting of the Board of Trustees shall be held on the first Thursday of each month, at 3 o'clock P. M., and special meetings may be called by the President, or, in his absence, by the Vice President, upon written request of three members of the Board, at any time and place to be named in the notice; and, in the absence of the President or Vice President, on the written request of five members of the Board.

At least twenty-four hours' notice shall be given of the holding of special meetings.

The order of business at the regular meetings of the Board of Trustees shall be

- (1) Reading of the Minutes of the Preceding Meeting.
- (2) Communications and Reports of President.
- (3) Report of Treasurer.
- (4) Reports of Standing Committees.
- (5) Reports of Special Committees.
- (6) Unfinished Business.
- (7) Miscellaneous Business.

SECTION III.

OFFICERS.

The Board of Trustees shall, at their annual meeting to be held on the first Thursday of February in each year, elect from their number a President, one or more Vice Presidents, and a Treasurer. They shall also elect a Secretary and an Assistant Secretary who may or may not be members of the Board of Trustees. The office of Treasurer and of Secretary may be filled by one person. In case of failure to hold the annual meeting on the day appointed, it may be held on the next following day, or thereafter at the call of three members of the Board. Pending any such election the officers previously in office shall hold over until their successors are elected.

The Board of Trustees may elect such other officers or assistants as the exigencies of the corporation may from time to time require.

SECTION IV.

POWERS AND DUTIES OF OFFICERS.

The PRESIDENT shall preside at all meetings of the Board of Trustees and shall, with the Secretary, sign all papers, documents or obligations on behalf of the corporation as

may be ordered to be executed by the Board of Trustees or Executive Committee. He shall present to the Board of Trustees at the annual meeting a full report on the affairs of the Institute.

The VICE PRESIDENTS shall, in the order of their election, in the absence of the President, perform all the duties of the President.

The TREASURER shall have the custody of the funds of the corporation, and shall keep same deposited in the name of the corporation, in such Banks or Trust Companies as the Board of Trustees may elect, and shall disburse such funds under the direction of the Board of Trustees. All checks or orders drawn upon such deposits shall be signed by the Treasurer and countersigned by the President or Vice President, or by such other person or officer as the Board of Trustees may appoint for such purpose. He shall render an account at each regular meeting of the Board of Trustees of all receipts and expenditures of the preceding month, and at the annual meeting in each year shall render an account of all moneys received and disbursed by him for the preceding year. He shall give bond in such amount as may be required by the Board of Trustees.

The SECRETARY, or, in his absence, the ASSISTANT SECRETARY, shall keep the Minutes of the meetings of the Board of Trustees and of its various Committees, and shall have the custody of all important documents connected with the business of the corporation. He shall give notice of the appointment of all Committees, transmit to them all papers, documents, and copies of resolutions referred to them, and give notice of all stated and special meetings. He shall keep a correct roll of the Board of Trustees and their residences. He shall have the custody of the seal of the corporation, and attest all the instruments, documents, or obligations required to be executed by the President on behalf of the corporation.

The Minute Books, Books of Account, and all other books, papers and vouchers in the possession of the Treasurer and of the Secretary shall be open at all times to the inspection and examination of any Trustee or of any Committee of the Board of Trustees.

In case of the resignation or removal from office of the Treasurer or Secretary such officer shall deliver forthwith to his successor, or to such person as may be appointed by the Board of Trustees, all property, books, papers, money, and every other matter and thing in his charge or possession belonging to the Board. An inventory of every thing thus delivered shall be made and duly attested by the person authorized to receive the several items and also by the retiring Treasurer or Secretary.

In case of a vacancy in the office of Treasurer or of Secretary through the death of the incumbent, it shall be the duty of the Finance Committee to obtain from the legal representative of the deceased officer all the books, property, papers, vouchers and other effects of the Board that may have been at the time of that officer's decease in his charge or possession, and to have an inventory thereof made as aforesaid, to be attested by the Chairman of said Committee and by the legal representative of the deceased officer.

In case of a vacancy in the office of Treasurer or Secretary, from any cause whatever, the vacancy shall be filled by an appointment to be made by the President; and this appointment shall continue until the election of a Treasurer or of a Secretary by the Board of Trustees, except such vacancy shall occur or be first made known at a meeting of the Board, when said Board shall fill said vacancy.

SECTION V.

COMMITTEES.

There shall be an EXECUTIVE COMMITTEE, a FINANCE COMMITTEE and a COMMITTEE ON PROPERTY. Each of said Committees shall consist of five members with the President as a member ex officio of each Committee. The Chairman of the Finance Committee and the Chairman of the Committee on Property shall be members of the Executive Committee.

The Executive Committee shall be elected by the Board of Trustees. The Finance Committee and the Committee on Property shall be appointed by the President.

The EXECUTIVE COMMITTEE may, during the intervals between the meetings of the Board, exercise all the powers of the Board of Trustees, but, when practicable, shall report the proceedings of the Committee to the Board at its next regular meeting, or to a special meeting to be called to consider the subject before final action. Vacancies in the Executive Committee may be filled by the Board of Trustees.

The FINANCE COMMITTEE shall have the general supervision of the financial affairs of the corporation, subject to the direction of the Board of Trustees. Vacancies in the said Committee shall be filled by the Board. This Committee shall examine and approve all bills and accounts, after the same shall have been duly vouched by the President or other officer authorized to make any outlay, before the same shall be paid, and generally shall act as a Committee on Accounts. It shall supervise and examine the accounts and vouchers of the Treasurer, and report from time to time, as requested, on the financial condition of the Institute, and on its revenues and expenditures. It shall make all investments as may be ordered by the Board.

This Committee shall not have power to direct action by

the President of the Society. It may recommend action by the Board or Executive Committee on subjects submitted to it by them or by the President of the Board, or from any source. Its office is one of oversight, suggestion and recommendation upon the subjects properly related to the business dealt with by it as defined in this article.

The COMMITTEE ON PROPERTY shall have the general management of the real and personal property of the corporation, subject to the direction of the Board of Trustees. It shall attend to the selling, leasing and renting of such parts of the property as may not be in actual use and occupied for the purposes of the Institute. It shall have charge of the buildings and other real estate and of the furniture and fixtures belonging to the Institute, and see that they are kept in proper order and repair. This Committee shall also have charge of all objects of art, pictures, paintings, statuary, jewelry and regalias, books, manuscripts, original letters and copies of royal letters, autographs, etc., directed in Article XVI of the will of Dr. Thomas W. Evans to be deposited in the Museum. It shall report its proceedings to the Board at its next regular meeting.

This Committee shall not have power to direct action by the President of the Society. It may recommend action by the Board or Executive Committee on subjects submitted to it by them or by the President of the Board, or from any source. Its office is one of oversight, suggestion and recommendation upon the subjects properly related to the business dealt with by it as defined in this article.

Each of said Committees shall preserve minutes of its proceedings, which shall be submitted to the Board at its regular meetings.

The Board of Trustees shall have the power at all times to reverse, amend, or in any way change the action of these Committees on any matters not theretofore consummated.

The reports of all Committees shall be in writing, provided, however, that, if deemed advisable, the minutes of any Committee may be submitted as a report.

Special Committees for the consideration of any subject may be appointed by the President whenever the Board of Trustees may deem the same advisable.

SECTION VI.

AMENDMENTS.

These By-Laws may be amended by the Board of Trustees at any regular or special meeting of the Board by a vote of nine of the Trustees after thirty days' notice of such intended amendment given in writing to each member of the Board of Trustees.

